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**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3624**

**PATENT
2907-0102p**

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: NIEBOER ET AL. **Conf.:** 5065
Appl. No.: 09/624,076 **Group:** 3624
Filed: July 24, 2000 **Examiner:** PATEL, J.
For: DOUBLE DUTCH AUCTION FOR ESTABLISHMENT
AND MAXIMIZATION OF SALES PRICE OF
GENERIC FUNGIBLE ITEMS

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

**MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

August 19, 2005

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated May 19, 2005 of the Primary Examiner finally rejecting claims 1 to 24.

☒ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of () month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

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Appl. No. 09/624,076

The fee has been calculated as shown below:

- ☒ **NO** extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.
- ☐ An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional _____ () month(s) for filing the Notice of Appeal.
- ☒ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☐ Large entity - \$500.00
- ☒ Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$250.00.

Payment of the above TOTAL FEE is being made in the following manner:

- ☒ Check(s) in the amount of \$250.00 is/are enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

Appl. No. 09/624,076

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By Anthony L. Birch
Anthony L. Birch, #26,122

ALB/bb
2907-0102P

6915 Barrett Lane
Bethesda, MD 20814
(301) 652-6647

Certificate of Transmission	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to:	
Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313	
Signature:	<u>Anthony L. Birch</u>
Printed Name:	<u>Anthony L. Birch</u>
Date:	<u>8/11/05</u>

BIRCH